

Amendments to the Drawings

Applicant has amended Figs. 2 and 3 to include previously omitted elements 21 and 31, respectively. These sheets replace the original sheets.

Attachment: Replacement Sheets

REMARKS/ARGUMENTS

The Examiner's attention to the present application is noted with appreciation.

Applicant has amended the specification as required by the Examiner's objections and to correct other typographical errors.

Applicant has amended claim 14 to correct the antecedent basis errors noted by the Examiner.

On page 2 of the Office Action, the Examiner rejected claims 4, 7, 20, and 22 under 35 U.S.C. 112, second paragraph as being indefinite with respect to the phrases "completely diffused" and "complete diffusion".

Applicant has amended the specification and Figs. 2 and 3 of the drawings to clarify that "completely diffused" and complete diffusion" are shown by diffused pattern 22 and 32 that extends completely along interior surface 21 and interior surface 31, respectively, as recited in Applicants' specification at the paragraph beginning on page 10, line 3. No new matter is added by these amendments.

On page 2 of the Office Action, the Examiner rejected claims 1, 2, 6, 7, 9, and 16 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application No. 2003/0079422 to Bracale. On page 5 of the Office Action, the Examiner rejected claims 3-5 under 35 U.S.C. 103(a) as being unpatentable over Bracale in view of U.S. Patent No. 5,983,581 to DeBlock et al (DeBlock '581).

Applicant has amended claim 1 and cancelled claims 2, 6, and 9 to clarify that Applicant's invention includes a tapered light tube having a dome disposed at a top of the tapered light tube and a diffuser disposed at a bottom of the tapered light tube where the top of the tube is wider than the bottom of the tube and that the skylight system said is operable to be installed on a roof without the use of roof flashing material.

Bracale discloses a skylight system having a band-like body 10 disposed within a refracting body 20, each of which is disposed in a tube 2. Bracale recites that the band-like body 10 has an axial width that may be varied between a minimum and a maximum (See Paragraph 0020). The light tube 2 of

Bracale, however, does not recite, nor does Fig. 1 show, a tapered tube that is wider at the top of the tube than at the bottom of the tube as recited in Applicants' claims.

DeBlock '581 discloses a tubular skylight having an offset dome 20. DeBlock recites that the offset dome 20 includes a prismatic portion 82 having grooves on the interior surface thereof and a non-prismatic (i.e. non-diffused) portion 84 (See Col. 3, lines 37-67) and, therefore, does not disclose a completely diffused dome, as discussed above, disposed at a top of a tapered tube as recited in Applicant's claims.

Neither Bracale, DeBlock '581, nor any of the other cited references show or suggest a skylight system having a tapered light tube with a dome disposed at a top of the tapered tube and a diffuser at a bottom of the tapered light tube and where the skylight system is operable to be installed on a roof without the use of roof flashing material, as recited in Applicants' amended claims. Furthermore, it would not have been obvious to one of ordinary skill in the art to combine Bracale with DeBlock '581 or any of the other cited references because doing so would not produce Applicant's claimed invention.

Claims 3-5, 7 and 16 each depend, directly or indirectly from claim 1 and so are allowable over the cited references for at least the same reasons as claim 1. Furthermore, each of the dependent claims includes additional limitations that may further distinguish each claim over the cited references.

On page 6 of the Office Action, the Examiner rejected claims 8, 10, and 11 under 35 U.S.C. 103(a) as being unpatentable over Bracale in view of U.S. Patent Application No. 2003/0079422 to DeBlock (DeBlock '422).

On page 8 of the Office Action, the Examiner rejected claims 12 and 15 under 35 U.S.C. 103(a) as being unpatentable over Bracale in view of U.S. Patent No. 5,596,848 to Lynch.

On page 9 of the Office Action, the Examiner rejected claims 13 and 14 under 35 U.S.C. 103(a) as being unpatentable over Bracale in view of U.S. Patent No. 5,897,713 to Chao et al.

On page 10 of the Office Action, the Examiner rejected claim 17 under 35 U.S.C. 103(a) as being unpatentable over Bracale in view of U.S. Patent No. 6,604,329 B2 to Hoy et al.

Claims 8, 10-15 and 17 each depend, directly or indirectly from claim 1 and so are allowable over the cited references for at least the same reasons as claim 1. Furthermore, each of the dependent claims includes additional limitations that may further distinguish each claim over the cited references.

On page 10 of the Office Action, the Examiner Claims rejected claims 18, 22, 23, and 28 under 35 U.S.C. 103(a) as being unpatentable over DeBlock '254. On page 11 of the Office Action, the Examiner rejected claims 19, 20, and 21 under 35 U.S.C. 103(a) as being unpatentable over DeBlock '254 in view of DeBlock '581.

Applicant has amended claim 18 and claim 21 and cancelled claims 19 and 20 to clarify that the skylight system of the present invention includes a light tube, a completely diffused dome disposed at and sealed at a top of the light tube, a diffuser disposed at and sealed at a bottom of the light tube, the combination of the light tube, the top dome and the bottom diffuser permanently sealed. Neither DeBlock '254 nor DeBlock '581 show or suggest a skylight system that includes a completely diffused dome sealed at a top of a light tube having a diffuser sealed at a bottom of the light tube and permanently sealed. Even if DeBlock '254 and DeBlock '581 were combined, such combination would not produce the skylight system defined by Applicant's amended claims.

Claims 22-23 and 28 each depend, directly or indirectly from claim 18 and so are allowable over the cited references for at least the same reasons as claim 18. Furthermore, each of the dependent claims includes additional limitations that may further distinguish each claim over the cited references.

On page 13 of the Office Action, the Examiner rejected claims 24 and 26 under 35 U.S.C. 103(a) as being unpatentable over DeBlock '254 in view of Lynch.

On page 14 of the Office Action, the Examiner rejected claims 25 and 27 under 35 U.S.C. 103(a) as being unpatentable over DeBlock '254 in view of Chao et al.

On page 15 of the Office Action, the Examiner rejected claim 29 under 35 U.S.C. 103(a) as being unpatentable over DeBlock '254 in view of Hoy et al.

Claims 24-27 and 29 each depend from claim 18 and so are allowable over the cited references for at least the same reasons as claim 18. Furthermore, each of the dependent claims includes additional limitations that may further distinguish each claim over the cited references.

On page 15 of the Office Action, the Examiner rejected claims 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bracale.

Applicant has amended claim 30 to clarify that Applicant's invention includes the steps of providing a skylight system comprising a light tube with a top and a bottom, disposing a diffuser to the light tube at the bottom of the light tube, cutting a hole in the roof, lowering the skylight system through the hole in the roof; and disposing a completely diffused dome atop the light tube. Claim 30 has also been amended to correct some typographical errors.

As noted above, Bracale does not disclose a completely diffused dome atop the light tube nor does it disclose a tapered light tube. It would not have been obvious to one of ordinary skill in the art to modify Bracale to include a completely diffused dome, as Bracale discloses an optically transparent dome 4 atop a light tube 2 and already includes a refracting body 20 disposed in the light tube beneath the dome. Nor would it have been obvious to one of ordinary skill in the art to lower the light tube of Bracale through a roof hole form an interference fit between the light tube of Bracale and the roof since Bracale does not disclose a tapered light tube which would allow such an interference fit.

On page 16 of the Office Action, the Examiner rejected claim 32 under 35 U.S.C. 103(a) as being unpatentable over Bracale in view of DeBlock '254. On page 17 of the Office Action, the Examiner rejected claim 33 under 35 U.S.C. 103(a) as being unpatentable over Bracale in view of Lynch. On page 18 of the Office Action, the Examiner rejected claim 34 under 35 U.S.C. 103(a) as being unpatentable over Bracale in view of Chao et al.

Claims 32-34 each depend, directly or indirectly from claim 30 and so are allowable over the cited references for at least the same reasons as claim 30. Furthermore, each of the dependent claims includes additional limitations that may further distinguish each claim over the cited references.

Applicant has added new claims 35-37 to clarify that the skylight system of the present invention includes a one of a desiccant and an inert gas disposed in the light tube and the method of assembly of the skylight system includes the step of providing an adhesive to cement the light tube to the roof.

In view of the above amendments and remarks, it is respectfully submitted that all grounds of rejection and objection have been avoided and/or traversed. It is believed that the case is now in condition for allowance and same is respectfully requested.


If any issues remain, or if the Examiner believes that prosecution of this application might be expedited by discussion of the issues, the Examiner is cordially invited to telephone the undersigned attorney for Applicant at the telephone number listed below.

Also being filed herewith is a Petition for Extension of Time to March 9, 2007, with the appropriate fee.

Authorization is given to charge payment of any additional fees required, or credit any overpayment, to Deposit Acct. 13-4213.

Respectfully submitted,

By:



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